



*John*

P/4976-35

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Jean-Marie GOUOT et al.

Date: June 1, 2009

Serial No.: 10/587,802

Group Art Unit: 4121

Filed: October 10, 2006

Examiner: Pihonak, S.

For: FUNGICIDAL COMPOSITION COMPRISING A PYRIDYLETHYLBENZAMIDE  
DERIVATIVE AND A COMPOUND CAPABLE OF INHIBITING THE TRANSPORT  
OF ELECTRONS OF THE RESPIRATORY CHAIN IN PHYTOPATHOGENIC  
FUNGAL ORGANISMS

**AMENDMENT AND RESPONSE**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

This response is in reply to the Office Action mailed March 17, 2009, in the above-identified application. Reconsideration of the application is respectfully requested.

**FEE CALCULATION**

The Terminal Disclaimer fee of \$140 is to be charged to Deposit Account  
Number 15-0700.

No additional fee is required for claims or an extension.

In the event the actual fee is greater than the payment submitted or is inadvertently not enclosed or if any additional fee during the prosecution of this application is not paid, the Patent Office is authorized to charge the underpayment to Deposit Account No. 15-0700.

**Application No. 10/587,802**  
**AMENDMENT dated June 1, 2009**  
**Response to Office Action of March 17, 2009**

**CONTINGENT EXTENSION REQUEST**

If this communication is filed after the shortened statutory time period has elapsed and no separate petition is enclosed, the Director of Patents and Trademarks is petitioned, under 37 C.F.R. § 1.136(a), to extend the time for filing a response to the outstanding office action by the number of months which will avoid abandonment under 37 C.F.R. § 1.135. The fee under 37 C.F.R. § 1.17 should be charged to Deposit Account No. 15-0700.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 3 of this paper.

**Remarks/Arguments** begin on page 7 of this paper.